

# TŁICHQ ASSEMBLY AND CHIEFS EXECUTIVE COUNCIL LAW

## OFFICIAL CONSOLIDATED VERSION

This consolidation does not operate as new law.

In the event of an inconsistency between this consolidated law and the original law or a subsequent amendment as passed by the Tłichq Assembly, the original law or amendment prevails to the extent of the inconsistency, except in the case of an obvious error such as incorrect numbering, cross referencing or spelling.

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Table of Legislative Changes

<b>Name of Law</b>	<b>Date Enacted</b>	<b>Section(s) Amended</b>
Tłichq Assembly and Chiefs Executive Council Schedule B Amendment Law 2005	December 14, 2005	Schedule B: sections 1,2,3,4, amended S. 7(1) &(2) added.
Tłichq Assembly and Chiefs Executive Council Schedule B Amendment Law 2009	December 3, 2009	Schedule B: sections 1,2,3,4 amended
Tłichq Assembly and Chiefs Executive Council Amendment Law 2013	April 25, 2013	S.2 definition “Departmental Establishment Policy” added Section 8 added

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Current to March 8, 2024

Last amended on April 27, 2017

		Section 9 added
Tłchq Assembly and Chiefs Executive Council Schedule B Amendment and Addition of Schedule C Law 2017	April 27, 2017	Schedule B repealed and replaced by amending sections 1,2,3,4 and adding sections 5,6,7

## Title

1. This law shall be cited as the *Tł̥chq̥ Assembly and Chiefs Executive Council Act*

## Definitions

2. In this law,

“Assembly” has the same meaning as in the Tł̥chq̥ Constitution.

“Chiefs Executive Council” has the same meaning as in the Tł̥chq̥ Constitution.

“Departmental Establishment Policy” means a policy that creates a department of the Tł̥chq̥ Government, setting out:

- a) The Statement of Policy;
- b) The Mandate;
- c) Principles;
- d) Scope;
- e) Authority and Accountability;
- f) Provisions;
- g) Appointments, including establishing officers and directors; and
- h) Prerogatives of the Chiefs Executive Council.

**Definition added:** *Tł̥chq̥ Assembly and Chiefs Executive Council Amendment Law 2013*

“immediate family” means father, mother, legal guardian, spouse, grandmother, grandfather, brother, sisters, children and grandchildren.

“Speaker” has the same meaning as in the Tł̥chq̥ Constitution.

“Tł̥chq̥ Government” means the Tł̥chq̥ Government and its institutions as defined in the Tł̥chq̥ Constitution.

## Procedure

3. The Assembly shall determine its own procedure and any failure by the Assembly to adhere to or follow its own procedure shall not be reviewable by any court.

4. The Chiefs Executive Council shall determine its own procedures and any failure by the Chiefs Executive Council to adhere to or follow its own procedure shall not be reviewable by any court.

### **Appointment of Tłıchǵ Executive Officer**

5. The Chiefs Executive Council shall establish a position to be known as “Tłıchǵ Executive Officer” and appoint a person to fill that position.

### **Appointment to Boards and other Entities**

6. The Chiefs Executive Council shall approve all Tłıchǵ Government appointments and/or nominations to all Boards and other entities as representatives of the Tłıchǵ Government or as provided for in the Tłıchǵ Agreement.

### **Other Remuneration Restriction**

7. (1) Each of the Chiefs and Grand Chief shall not benefit from any compensation, including honoraria or other fees, for attendance at meetings or sitting on Boards or other institutions as a Tłıchǵ Government representative.

*s.7.(1) added: Tłıchǵ Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*

- (2) Should some form of compensation be mandatory from a role identified in section 7(1) the compensation shall be turned over to the Tłıchǵ Government and be treated as Tłıchǵ Government revenues.

*s.7.(2) added: Tłıchǵ Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*

### **Departmental Establishment Policy**

8. The Chiefs Executive Council shall establish Departmental Establishment Policies for the following subject matters:

- (a) Finance and financial administration;
- (b) Language, culture and communications;
- (c) Human Resources;
- (d) Executive support and services;
- (e) Lands protection, administration and land use planning;

- (f) Programs and services, including community services and social programs;  
and
- (g) Such other subject matters as determined by the Chiefs Executive Council.

For greater certainty, the Chiefs Executive Council may establish new departments or single departments covering multiple subject matters as part of the internal management of Tłchq Government departments.

**s.8 added: *Tłchq Assembly and Chiefs Executive Council Amendment Law 2013***

## **Language, Culture and Communication**

9. The Chiefs Executive Council shall direct the administration and carrying out of the language, culture and communications programs of the Tłchq Government which shall include:

- (a) ensuring the language and culture programs and activities of Tłchq Government are carried out in a manner that enhances the Tłchq language, culture and way of life;
- (b) evaluating the language and culture programs including the role of the Cultural Coordinator; and
- (c) ensuring the performance of other duties as determined by the Chiefs Executive Council or any other Tłchq law.

**s.9 added; *Tłchq Assembly and Chiefs Executive Council Amendment Law 2013***

## **Members**

10. (1) Where a member of the Assembly other than the Grand Chief resigns, by declaring openly at a meeting of the Assembly or by submitting a written resignation delivered to the Assembly, his or her resignation shall be effective at the time the declaration is made or the written resignation is received by the Assembly.

(2) Where a member of the Assembly other than the Grand Chief is unable to carry out their duties, for any reason other than resignation, he or she shall be deemed to have resigned effective on the day the Speaker is informed that the member of the Assembly is unable to carry out his or her duties.

(3) Where the Grand Chief resigns, by declaring openly at a meeting of the Assembly of Chiefs Executive Council or by submitting a written resignation delivered to the Assembly or the Chiefs Executive Council, his or her resignation shall be effective at the time the resignation is accepted by the Chiefs Executive Council or ten days after the receipt of the written resignation, whichever occurs first.

(4) Where the Grand Chief is determined by the Chiefs Executive Council to be unable to carry out his or her duties, he or she shall be deemed to have resigned on a day so declared by the Chiefs Executive Council.

(5) Where the Speaker has been informed that a member of the Assembly has resigned or has been informed as set out that a member of the Assembly is unable to carry out his or her duties, the Speaker shall inform the remaining members of the Assembly that the departing member of the Assembly is unable to carry out his or her duties and identify the date the departing member's resignation became effective.

(6) Where a member's position other than the Grand Chief, becomes vacant as a result of subsection (1) or (2), the Speaker shall notify the appropriate Tłchq community to replace the member within 30 days.

(7) Upon the effective resignation of the Grand Chief, or when the Grand Chief can no longer carry out his or her duties, at least 9 members of the Assembly shall forthwith appoint a member of the Assembly other than a Chief to be acting Grand Chief and cause a nomination and election to be held as soon as possible to elect a new Grand Chief.

### **Vacancies**

**11.** The proceedings and decisions of the Assembly are not affected by any vacancy in its membership, so long as quorum remains in office.

### **Conflict of Interest**

**12. (1)** Every member of the Assembly who, in any way, directly or indirectly, has an interest that conflicts or reasonably might be expected to conflict with the interest of the Tłchq Government or its institutions, shall disclose the nature and extent of their interest, conduct or behaviour to the Assembly at the earliest opportunity after becoming aware of the conflict.

(2) Where a Chief, the Grand Chief or an immediate family member has a financial interest in a corporation, partnership, sole proprietorship or is a director of a non-profit society or organization that may benefit from any contract, loan, grant, financial guarantee or other similar financial relationship entered into by the Tłchq Government that must be approved by the Chiefs Executive Council, the Chief or Grand Chief shall be deemed to be in a conflict of interest under this section of the purposes of awarding the contract, loan,

grant, financial guarantee or other similar financial relationship and will refrain from participating in any decision on this matter.

### **Oath of Office**

13. Each member of the Assembly shall take the oath of office contained in Schedule A before starting his or her duties as a member of the Assembly.

### **Undue use of Influence**

14. (1) No member of the Assembly or Chiefs Executive Council shall receive or agree to receive any fee, compensation or reward, directly or indirectly, either alone or with another, for services rendered or to be rendered to any person, either by himself or another, in relation to the preparation or promotion of any draft enactment, resolution, question, petition, proceeding, controversy, charge or other matter before the Tłıchǫ Government.

(2) No person shall offer a member of the Assembly or Chiefs Executive Council a reward to use their position to promote any enactment, contract or other matter before the Tłıchǫ Government.

(3) A person who violates subsection (1) or subsection (2) commits an offence.

### **Liability**

15. Except where a member of the Assembly is found to have violated section 12 or 14, no member of the Assembly is liable to any civil action or prosecution, arrest, imprisonment or damages by reason of any matter or thing brought by him or her before the Assembly or Chiefs Executive Council by petition, bill, resolution, motion or otherwise, or anything said by him or her at a meeting of the Assembly or Chiefs Executive Council.

### **Indemnities and Allowances**

16. (1) Each member of the Assembly shall be paid an honorarium or wage at the rate set out in Schedule C.

(2) Each member of the Assembly and Chiefs Executive Council shall be paid transportation and living expenses incurred in connection with the performance of their duties while away from their ordinary place of residence in accordance with existing policies.

## **Regulations**

17. The Assembly may enact regulations for the carrying out of the purposes and provisions of this Law.

## **Coming into Force**

Consistent with the *Tłıchǫ Procedures Law*, this law came into force when the Grand Chief signed it on August 4, 2005.



## **SCHEDULE A**

### **Oath of Office**

“I, (Name of Member), do swear that I will respect and honour Ṭḥcḥọ citizens, the Ṭḥcḥọ Government, Ṭḥcḥọ Constitution and Ṭḥcḥọ Agreement. I will carry out my duties as a member of the Ṭḥcḥọ Assembly to protect and promote the Ṭḥcḥọ language, culture, resources and way of life with honesty and integrity so help me God.”

### **La Ts'it'ọ gha Yatı Hohlè**

Sı, (Name of the Member), họt'à-lọ hotı̀ nezı Ṭḥcḥọ dọ̀, Ṭḥcḥọ Déts'ọ K'àowo, Ṭḥcḥọ Nàowo eyıts'ọ Ṭḥcḥọ Ełek'èè hots'era nàowo ııtọ ha họt'e.

Ṭḥcḥọ dọ̀ gha segha ek'ètehtsòo hohı́ t'à hotı̀ nezı Ṭḥcḥọ yatı, Ṭḥcḥọ nàowo, dè eyıts'ọ edèts'eèdà wek'eedı ha, Nòhtsı sets'à wedı.

## SCHEDULE C

### Honoraria and Wages for Members

1. The remuneration for Members of the Assembly other than the Grand Chief and the Chiefs shall be \$550.00 per day for attending all meetings, conferences and workshops including sessions of the Assembly and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.1 amended: Tłıchq Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*  
*s.1 amended: Tlıcho Assembly and Chiefs Executive Council Schedule B Amendment Law 2009*  
*s.1 repealed and replaced: Tłıchq Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*
2. In addition to the amount set in section 1 of this Schedule, the remuneration for Members of the Assembly, other than the Grand Chief and the Chiefs shall be a base of \$26,033 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.2 amended: Tłıchq Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*  
*s.2 amended: Tlıcho Assembly and Chiefs Executive Council Schedule B Amendment Law 2009*  
*s.2 repealed and replaced: Tłıchq Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*
3. The remuneration for the Chief of Behchokò while a member of the Tłıchq Assembly and Chiefs Executive Council shall be \$166,556 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.3 amended: Tłıchq Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*  
*s.3 amended: Tlıcho Assembly and Chiefs Executive Council Schedule B Amendment Law 2009*  
*s.3 repealed and replaced: Tłıchq Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*
4. The remuneration for the Chief of Whatì while a member of the Tłıchq Assembly and Chiefs Executive Council shall be \$152,560 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.4 amended: Tłıchq Assembly and Chiefs Executive Council Schedule B Amendment Law 2005*  
*s.4 amended: Tlıcho Assembly and Chiefs Executive Council Schedule B Amendment Law 2009*  
*s.4 repealed and replaced: Tłıchq Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*

5. The remuneration of the Chief of Gamètì while a member of the Tłıchǫ Assembly and Chiefs Executive Council shall be \$145,561 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.5 added: Tłıchǫ Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*
6. The remuneration for the Chief of Wekweètì while a member of the Tłıchǫ Assembly and Chiefs Executive Council shall be \$139,963 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.6 added: Tłıchǫ Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*
7. The remuneration for the Grand Chief while a member of the Tłıchǫ Assembly and Chiefs Executive Council shall be \$202,556 per annum and shall be adjusted according to the Consumer Price Index on an annual basis.  
*s.7 added: Tłıchǫ Assembly and Chiefs Executive Council-Schedule B Amendment and Addition of Schedule C Law 2017*

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Current to March 8, 2024

Last amended on April 27, 2017